1. Exchange of views of the Committee on a Latvian notification of a draft Regulation for the labelling of meat, minced meat, mechanically separated meat, meat preparations and meat products produced and marketed in Latvia (2011/563/LV)

On 7 November 2011, the Latvian authorities notified under the procedure of Article 19 of Directive 2000/13/EC a draft Regulation for the labelling of meat, minced meat, mechanically separated meat, meat preparations and meat products produced and marketed in Latvia.

The Latvian delegation presented the notified measure. In particular, it has been explained that the draft text requires specific labelling requirements for meat and meat products from animals which are slaughtered according to the traditional methods of religious communities. The Latvian delegation indicated that this provision is justified in terms of consumer information and prevention of fraud.

During the exchange of views, the delegations asked whether the above-mentioned measure should also apply to the meat products coming from third countries and to the meat from animals slaughtered in other Member States. The Latvian authorities affirmed that the notified measure will only apply to the Latvian meat and meat products, where the animal has been slaughtered in Latvia.

It was noted that there was a close link to the Spanish notification under discussion as item 7 of the agenda.

In accordance with the procedure laid down in Article 19 of Directive 2000/13/EC, the Commission will express its opinion regarding this notification within three months period, taking into consideration this exchange of views.
2. Exchange of views of the Committee on a Greek notification of a draft ACT on the "Production and market placement of vinegar" (2011/635/GR)

On 12 December 2011, the Greek authorities notified under the procedure of Article 19 of Directive 2000/13/EC a draft Act related to the production and placing on the market of vinegar.

The Greek authorities explained the content and rationale of the notified draft. In particular, it has been evoked that the EU legislation does not foresee specific labelling requirements for vinegars. The presented draft legislation was intended to cover this area as well as the need for establishing different classes of vinegars, depending on their characteristics, in order to avoid frauds and ensure the proper consumer information.

Some delegations raised the question whether the notified provision would also apply to vinegars legally produced and marketed in other Member States. The Greek delegation confirmed that the clause of mutual recognition will be applicable to such foods.

In accordance with the procedure laid down in Article 19 of Directive 2000/13/EC, the Commission will express its opinion regarding this notification within three months period, taking into consideration this exchange of views.

2A. Exchange of views of the Committee on a Czech notification 2011/546/CZ of a draft Regulation related to milled cereal products, pasta, bakery products and confectionery products and pastries (2011/546/CZ)

On 18 January 2012, the Czech authorities notified under the procedure of Article 19 of Directive 2000/13/EC a draft Regulation related to milled cereal products, pasta, bakery product and confectionery products and pastries.

The Czech delegation presented the notified draft. It has been explained that the draft Regulation lays down certain supplementary quality and labelling requirements, definitions and conditions for putting the above-mentioned foods into circulation. According to the Czech authorities, these requirements had been established in order to enable consumers to make informed choice of the foods in question when shopping.

Following to the question raised by some Member States, the Czech delegation confirmed that the draft text includes a mutual recognition clause. Furthermore, the Commission recalled that only the provisions related to the additional labelling requirements will be assessed under the notification procedure of Directive 2000/13/EC. Other provisions, including those on quality requirements, are to be evaluated under Directive 98/34/EC falling under the competence of DG Enterprise.

2B. Exchange of views of the Committee on a Slovenian notification of a draft Rules on the quality of meats products (2011/409/SI)

The item was removed from the agenda for technical reasons.
2C. Exchange of views of the Committee on the interpretation of the status of foodstuffs for which the date of minimum durability has expired (Belgium)

On the request of Belgium, the Committee discussed the interpretation of the minimum durability date as laid down in Directive 2000/13/EC and Regulation (EU) No 1169/2011. In particular, the question of the possibility of selling and the conditions in which foodstuffs with an expired date of minimum durability may be present on the market was discussed.

The majority of the Member States who took the floor agreed on the interpretation according to which foods should not be automatically forbidden to be sold after expiry of the minimum durability date. However, the evaluation should be made on a case-by-case basis, depending on the type of food in question and other specific circumstances. Furthermore, the question of responsibility of the food business operators and those of the consumer has been raised by some delegations.

Member States were asked to provide the Commission with any guidelines or other interpretation notice elaborated at national level and related to the labelling of best before and minimum durability dates.

2D. Exchange of views of the Committee on the labelling of allergens in wine

The Commission presented various requests from the wine sector as regards the labelling of allergens in wines: further prolongation of the EU temporary exemption, setting of detection limits for some allergens and establishing pictograms as a possible form of expression.

During the exchange of views, some Member States explicitly and strongly opposed the idea of an extension of the transitory period given the absence of any scientific reason. Other Member States supported partially or totally the request of industry and proposed the elaboration of good manufacturing practices similar to the Canadian approach. The need for a harmonised detection method was also raised.

The Commission explained that legislative measures in the area of food safety and consumer health should be based and justified on scientific evidence. Currently, there is no scientific knowledge about the "safe threshold" as regards substances in question under which allergic reactions are excluded. The recent opinion presented by EFSA on the application submitted by the wine sector in this regard does not provide neither this certainty. The problem of a very tight timetable for adoption of new measures was also highlighted.

The Commission took note of all positions and informed the Member States that further reflection on these requests was necessary in order to come up with a pragmatic solution.

As provided for in Article 18(4) of Regulation (EC) No 1924/2006 Member States were consulted on a working document relating to a health claim provided for in Article 13(5) of that Regulation, which received a favourable assessment from the European Food Safety Authority (EFSA). The health claim related to the effects of sugar beet fibre on increase of faecal bulk.

The Commission presented the working document and the claim therein and noted that the applicant had not requested protection of proprietary data. Further the Commission recalled that a similar health claim had received the favourable opinion of the Committee in the context of the draft measure establishing the list of permitted Article 13(1) health claims and delegations agreed to ensure consistency between the two claims as far as the wording and the conditions of use are concerned.

More specifically, risk managers agreed to use their margin of discretion and modify slightly the wording of the claim which was proposed by EFSA, in order to authorise the claim "sugar beet fibre contributes to an increase in faecal bulk" and agreed that the claim may be used for food which is high in sugar beet fibre as referred to in the nutrition claim "HIGH fibre".

The comments and positions expressed will be taken into account by the Commission in finalising its decision.

4. Exchange of views of the Committee on the status of the products placed on the market as food supplement/dietetic food for special medical purposes

Following a request from the Spanish Food Safety and Nutrition Agency, an exchange of views took place regarding the possibility to place legally on the market - in the same Member State and/or in different Member States – similar or identical products as food supplements and as food for special medical purposes simultaneously.

The Commission pointed out that all characteristics of the products should be taken into account (composition, labelling, presentation…) when classifying products as food supplements or food for special medical purposes. In theory, it is possible that products with the same composition, when in conformity with all the requirements of the applicable legislation, coexist on the market at the same time as food supplement and as food for special medical purposes. However, a strict and consistent interpretation of the relevant definitions should in practice not lead to such a situation as food for particular nutritional uses are by definition different from normal foods including food supplements.

The Commission clarified that Article 14 of Directive 2009/39/EC on foodstuffs intended for particular nutritional uses does not apply to food supplements and also stressed that the principle of mutual recognition does not apply in the areas of harmonised legislation.
5. Exchange of views of the Committee on the report on a desk study to evaluate official controls in the field of dietary foods for special medical purposes and foods intended for use in energy-restricted diets for weight reduction (F4)

Unit F4 – Food of plant origin, plant health; processing and distribution, presented the report of a desk study to evaluate official controls in the field of dietary foods for special medical purposes and foods intended for use in energy-restricted diets for weight reduction.

6. Exchange of views of the Committee on the report on a desk study on official controls in the field of food supplements (F4)

Unit F4 – Food of plant origin, plant health; processing and distribution, presented the report of a desk study on official controls in the field of food supplements.

7. Exchange of views and possible opinion of the Committee on a Draft Commission Implementing Decision concerning the draft Decree regulating the exemption from stunning provided for in the slaughter of animals in religious rites and the identification of these meats intended for human consumption (Article 19 of Directive 2000/13/EC of the European Parliament and of the Council) (Opinion of the Committee via the examination procedure) (Doc. SANCO/10415/2011)

The draft Commission Decision was submitted to the Committee pursuant to Article 20 of Directive 2000/13/EC.

On 26 March 2010, the Spanish authorities notified under procedure of Article 19 of Directive 2000/13/EC a draft Decree which requires inter alia that meat intended for human consumption and obtained from animals slaughtered in religious rites without stunning shall be labelled "obtained through the stunning special exemption".

The Commission informed that, following a careful assessment of the notified measure, a negative opinion has been addressed to the Spanish authorities. In addition, it was underlined that the Member States, together with the European Parliament, agreed, during the negotiations preceding the adoption of Regulation (EU) No 1169/2011 on food information to consumers, that this kind of labelling should be considered in the context of a future Union strategy for the protection and welfare of animals.

The Member States highlighted the importance of providing the consumer with complete information about the food they are buying as well as the need to protect animals from avoidable suffering. Even though some of them were in favour of the Spanish measure, the majority of the Member States indicated preference for harmonised labelling approach at EU level.

Given the diversity of positions and the need for further discussion, the draft Decision was not put to the vote.

The draft Commission Regulation was submitted to the Standing Committee in accordance with Article 18(5) of Regulation (EC) No 1924/2006. It would refuse to authorise the use of two health claims foreseen in Article 13(5) of that Regulation.

One application related to the effects of coffee C21 and reduction of spontaneous DNA strand breaks. One application related to the effects of diacylglycerol (DAG) oil and reduction of body weight. One application related to the effects of spermidine and prolongation of the growing phase (anagen) of the hair cycle. For that application which included a request for protection of proprietary data, EFSA considered that the claimed effect is related to the treatment of a disease. The Commission noted that it is a fundamental requirement that food information shall not attribute to any food the property of preventing, treating or curing a human disease, nor refer to such properties and that a decision on the outcome of this claim will be taken once EFSA has considered the scientifically related comments received by the Commission pursuant to Article 16(6) of the Regulation. One application related to the effects of Bimuno® GOS and reduction of gastro-intestinal discomfort. The last application subject to this draft measure, related to the effects of sugar beet fibre and decreasing intestinal transit time.

The draft Regulation will be referred for further discussions at expert level and put to the vote of the Committee in a future meeting, following the consideration by EFSA of the comments of a scientific nature submitted pursuant to Article 16(6) of Regulation (EC) No 1924/2006.


The draft Commission Regulation was submitted to the Standing Committee in accordance with Article 17(1) of Regulation (EC) No 1924/2006. It would authorise the use of one health claim provided for in Article 14(1)(a) of that Regulation, applied for by two different applicants.

Both applications related to the effects of barley beta glucans on reduction of blood cholesterol, which is a risk factor in the development of coronary heart disease. In the light of a favourably assessed and subsequently authorised Article 14(1)(a) claim on oat beta glucans and reduction of blood cholesterol and other favourably assessed Article 13(1) claims on barley beta glucans and maintenance of blood cholesterol, the Commission proposed conditions of use which would ensure consistency with the other claims.
An overall positive reaction was noted by the delegations and the draft Regulation will be referred for further discussions at expert level and put to the vote of the Committee in a future meeting.